

**FLATHEAD COUNTY PLANNING BOARD
MINUTES OF THE MEETING
JULY 14, 2021**

**CALL TO ORDER
6:00 PM**

A meeting of the Flathead County Planning Board was called to order at approximately 6:00 p.m. in 2nd Floor Conference Room of the South Campus Building, 40 11th Street West, Suite 200 Kalispell, Montana. Board members present were Sandra Nogal, Greg Stevens, Mike Horn, Verdell Jackson, Buck Breckenridge, and Tyler Hoffman. Jeff Larsen, Elliot Adams, and Kevin Lake had excused absences. Erin Appert and Donna Valade represented the Flathead County Planning & Zoning Office.

There were approximately 4 members of the public in attendance.

**APPROVAL OF
MEETING
MINUTES
6:00 PM**

Breckenridge made a motion, seconded by Jackson, to approve the June 9, 2021 meeting minutes.

Motion passed unanimously on a roll call vote.

**DISCLOSURE OF
ANY CONFLICT
OF INTERESTS
6:01 PM**

None

**PUBLIC
COMMENT
(Public matters that
are within the
jurisdiction of the
Board 2-3-103
M.C.A)
6:01 PM**

Don Jermunson, 93 Corbett Lane in Coram, addressed the fact that the canyon was growing too fast and was experiencing growing pains. They were located in Coram, below the middle canyon zoning, and currently had no zoning. He wished to begin the process [of adding zoning] in order to help control the growth problem. He asked for guidance as to what the board would recommend. He discussed, at great length, his desire and reasoning behind wanting to have some type of land regulations in Coram. He was also concerned about the amount of community decay in the area.

Stevens tried to ease his mind that there were some regulations in place because septic systems could not be placed on less than an acre. He also wanted to give him a peace of mind that subdivisions would have to go before the board. Jermunson asked if landowners were allowed to build out their own land.

They discussed these matters at great length.

Stevens said that they were in the process of bringing on a new director and the board would have to put together a work plan of things the board wanted to work on in the coming year. Stevens said that this was on their radar.

**BRETT MILLER
ET AL
(FZC-21-09)
6:12 PM**

A zone change request from Sands Surveying, Inc. on behalf of Brett Miller et. al. for properties in the Southeast Rural Whitefish Zoning District. The proposal would change the zoning on properties located at 655 Armory Road, 577 Armory Road, 565 Armory Road, 573 Armory Road, 679 Armory Road and 605 Armory Road, near Whitefish, MT from SAG-10 (Suburban Agricultural) to R-2.5 (Rural Residential) on approximately 55+ acres.

**STAFF REPORT
6:13 PM**

Donna Valade reviewed staff report FZC-21-09 for the board.

**BOARD
QUESTIONS
6:15 PM**

Nogal asked if they had received any comments from the City of Whitefish.

**APPLICANT
PRESENTATION
6:15 PM**

Eric Mulcahy with Sands Surveying, 2 Village Loop, represented the applicant. They agreed with the staff report. He summarized the application and the intent behind the proposal. There were no immediate plans to split but was geared more towards estate planning. He discussed this in detail.

**BOARD
QUESTIONS
6:17 PM**

None

**AGENCY
COMMENTS
6:17 PM**

There were no public agencies present to comment. Written comments were reviewed in the staff report.

**PUBLIC
COMMENT
6:17 PM**

Ronald Brandt, 575 Armory Rd, spoke in support of the application but also had some concerns. He had property adjacent to the subject property. He agreed the location for the zone change made sense. He questioned if R-2.5 was appropriate when it was surrounded by SAG-10 and SAG-20. He saw issues regarding spot zoning and was concerned he would be the only lot standing in a SAG-10. He was also concerned about not being able to change his zoning if he chose to do some estate planning in the future.

Breckenridge asked that he point out his property for the board.

Jackson asked Brandt if he wanted to be involved [in the zone change] and Stevens said they could not do that due to the public notification.

Stevens said if this zone change were to be approved, and his property was adjacent, he could not be denied for spot zoning because it would be adjacent to R-2.5. Stevens discussed the court ruling over spot zoning and informed Brandt that he would be ok to apply for a zone change.

Larry Smith, 555 Armory Rd, did not have a problem with the proposal. He wanted to make sure the airport was protected as some of the property was on the approach end of the airport. He was sure there would be setbacks that would be appropriate to the airport but that was his concern.

Stevens said that they would not be able to condition a zone change, such as setbacks, but they would be able to put conditions on subdivisions.

Jermunson questioned if they agreed to incorporate themselves under the Middle Canyon zoning if that would need to go on a ballot. Stevens said that they could submit an application that would be decided upon by the Commissioners. Stevens clarified that what Jermunson was asking for was complicated because there had to be a legal description of what was going to be incorporated. There would need to be some type of description.

**BOARD
QUESTIONS
6:28 PM**

None

**MAIN MOTION
TO ADOPT F.O.F.
(FZC-21-09)
6:28 PM**

Breckenridge made a motion, seconded by Jackson, to adopt staff report FZC-21-09 as findings of fact.

**BOARD
DISCUSSION
6:28 PM**

None

**ROLL CALL TO
ADOPT F.O.F.
(FZC-21-09)
6:29 PM**

Motion passed unanimously on a roll call vote.

**MAIN MOTION
TO RECOMMEND
APPROVAL
(FZC-21-09)
6:29 PM**

Nogal made a motion, seconded by Jackson, to recommend approval of FZC-21-09 to the Board of County Commissioners.

**BOARD
DISCUSSION
6:30 PM**

Stevens said it was a beautiful area and nobody liked to see larger parcels broken down. He discussed how the county had a real problem on their hands with a housing crisis. He felt it was an appropriate place to do a zone change. It was near the City of Whitefish which was expanding. He felt it was an appropriate time and place for a zone change.

**ROLL CALL TO
RECOMMEND
APPROVAL
(FZC-21-09)
6:32 PM**

Motion passed unanimously on a roll call vote.

**OLD BUSINESS
6:33 PM**

None

**NEW BUSINESS
6:33 PM**

Board secretary reviewed what was on the docket for the next meeting's agenda.

The board discussed their concern over previously amendments requested from some of the local land use advisory boards and the ambiguous language.

Valade reassured that the West Glacier Vision Plan [to be reviewed next month] was a vision and fell under guidelines not regulatory documents.

**ADJOURNMENT
6:37 PM**

The meeting was adjourned on a motion by Nogal and Breckenridge at approximately 6:37 p.m. The next meeting will be held August 11, 2021.



Jeff Larsen, Chairman



Angela Phillips, Recording Secretary

APPROVED AS SUBMITTED/CORRECTED: 8 / 11 /21